

# Exhibit “A”

## Plaintiff's Complaint



**Service of Process  
Transmittal**

07/31/2019

CT Log Number 535970975

**TO:** KIM LUNDY SERVICE OF PROCESS, Legal Support Supervisor  
WALMART INC.  
702 SW 8TH ST, MAILSTOP 0215  
GLOBAL GOVERNANCE, DATA, ANALYTICS,  
BENTONVILLE, AR 72716-6299

**RE: Process Served in Nevada**

**FOR:** WALMART INC. (Domestic State: DE)

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** Goodman Rita, etc., Pltf. vs. Walmart Inc., etc., et al., Dfts.

**DOCUMENT(S) SERVED:** Summons, Complaint, Demand, Disclosure, Cover Sheet

**COURT/AGENCY:** Clark County District Court, NV  
Case # A19799236C

**NATURE OF ACTION:** Personal Injury - Failure to Maintain Premises in a Safe Condition - 10/04/2018 - Walmart Market #3788, Located at 6310 W. Charleston Blvd., Las Vegas, Nevada

**ON WHOM PROCESS WAS SERVED:** C T Corporation System, Carson City, NV

**DATE AND HOUR OF SERVICE:** By Process Server on 07/31/2019 at 12:15

**JURISDICTION SERVED :** Nevada

**APPEARANCE OR ANSWER DUE:** Within 20 days after service, exclusive of the day of service

**ATTORNEY(S) / SENDER(S):** Adam D. Smith  
Adam Smith Law  
2340 Paseo Del Prado, Suite D203  
Las Vegas, NV 89102  
702-929-2289

**ACTION ITEMS:** CT has retained the current log, Retain Date: 08/01/2019, Expected Purge Date: 08/06/2019  
  
Image SOP  
  
Email Notification, KIM LUNDY SERVICE OF PROCESS ctlawsuits@walmartlegal.com

**SIGNED:** C T Corporation System  
**ADDRESS:** 701 S Carson St.  
Suite 200  
Carson City, NV 89701-5239  
**TELEPHONE:** 314-863-5545

7/27/2019 10:55 AM

**SUMM**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

RITA GOODMAN, individually,  
Plaintiff,

v.

WALMART INC., a Delaware Corporation;  
DOES I-X; and ROE CORPORATIONS I-X,  
inclusive,

Defendants.

CASE NO.:  
DEPT. NO.:

CASE NO: A-19-799236-C  
Department 4

**SUMMONS**

**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW**

To THE DEFENDANT(S): A civil Complaint has been filed by the Plaintiff(s) against you for the relief set forth in the Complaint.

**WALMART INC.**

1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you, exclusive of the day of service, you must do the following:

- a. File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of the Court, with the appropriate filing fee.
- b. Serve a copy of your response upon the attorney whose name and address is shown below.

2. Unless you respond, your default will be entered upon application of the Plaintiff(s) and this Court may enter a judgment against you for the relief demanded in the Complaint, which could result in the taking of money or property or other relief requested in the Complaint.

3. If you intend to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.


4. The State of Nevada, its political subdivisions, agencies, officers, employees, board members, commission members and legislators, each have 45 days after service of this summons within which to file an answer or other responsive pleading to the complaint.

Issued at the direction of  
Adam Smith Law

By: 

Adam D. Smith, Esq.  
Nevada Bar No:9690  
2340 Paseo Del Prado, Suite D203  
Las Vegas, NV 89102  
Attorney for Plaintiff

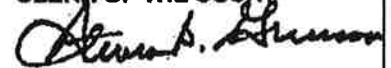
STEVEN D. GRIERSON  
CLERK OF COURT

  
Deputy Clerk  
County Court House  
200 Lewis Avenue  
Las Vegas, Nevada 89155  
Marie Kramer

7/29/2019

Date

Electronically Filed  
7/27/2019 10:55 AM  
Steven D. Grierson  
CLERK OF THE COURT



CASE NO: A-19-799236-C  
Department 4

1 **COMP**  
Adam D. Smith, Esq.  
2 Nevada Bar No. 9690  
Craig A. Henderson, Esq.  
3 Nevada Bar No. 010077  
ADAM SMITH LAW  
4 2340 Paseo Del Prado, Suite D203  
Las Vegas, Nevada 89102  
5 T: (702) 929-2289  
F: (702) 960-4454  
6 adam@adamsmithlaw.com  
craig@adamsmithlaw.com  
7 *Attorneys for Plaintiff*

8 **DISTRICT COURT**  
9 **CLARK COUNTY, NEVADA**

10 **RITA GOODMAN, individually,**  
11 **Plaintiff,**

Case No.:  
Dept. No.:

12 **v.**

**COMPLAINT**

13 **WALMART INC., a Delaware Corporation;**  
14 **DOES I-X; and ROE CORPORATIONS I-X,**  
**inclusive,**

15 **Defendants.**

16 Plaintiff RITA GOODMAN complains as follows:

17 **GENERAL ALLEGATIONS**

- 18 1. The actions complained of herein occurred in Clark County, Nevada.
- 19 2. Defendant WALMART INC., is, and at all times mentioned herein, was, a Delaware  
20 Corporation conducting business in Clark County, Nevada.
- 21 3. The true names and capacities of the Defendants designated herein as Doe or Roe  
22 Corporations are presently unknown to Plaintiff at this time, who therefore sues said Defendants by  
23 such fictitious names. When the true names and capacities of these defendants are ascertained,  
24 Plaintiffs will amend this Complaint accordingly.
- 25 4. At all times pertinent herein, Defendants were agents, servants, employees or joint  
26 venturers of every other Defendant, and at all times mentioned herein were acting within the scope  
27 and course of said agency, employment, or joint venture, with knowledge and permission and consent  
28 of all other named Defendants.

5. On October 4, 2018, Plaintiff was an invitee of Defendant at Walmart Market #3788 located at 6310 W. Charleston Blvd., Las Vegas, Nevada (hereafter the "Property").

6. Defendant WALMART INC. maintained and was in control of the Property.

7. Defendant WALMART INC. owned the Property.

8. While visiting the Property, Plaintiff fell and suffered injuries because of a dangerous curb that was not marked at the Property (hereafter the "dangerous condition").

9. Defendants should have made the dangerous condition safe because that condition was non-obvious to Plaintiff.

10. Defendants negligently, carelessly, and recklessly maintained, constructed and allowed the dangerous condition to exist.

**FIRST CAUSE OF ACTION**

11. Plaintiff incorporates paragraphs 1 through 10 of the Complaint as if those paragraphs were fully incorporated herein.

12. Defendants owed Plaintiff a duty of care to warn Plaintiff of the non-obvious, dangerous condition at the Property.

13. Defendants breached this duty of care by failing to warn Plaintiff of the dangerous, non-obvious condition, and by allowing the dangerous condition to exist.

14. Defendants' negligence directly and proximately caused Plaintiff serious injury.

15. As a direct and proximate result of Defendants' negligence, Plaintiff received medical and other treatments for injuries sustained in the fall, all or some of which conditions may be permanent and disabling and, all to Plaintiff's damage in a sum in excess of \$15,000. Said services, care, and treatment are continuing and shall continue in the future.

16. As a direct and proximate result of Defendants' negligence, Plaintiff has been required to limit certain recreational activities, which have caused, and shall continue to cause loss of enjoyment of life.

17. As a direct and proximate result of Defendants' negligence, Plaintiff has suffered a loss of earnings and loss of earning capacity.

18. Plaintiff has been required to engage the services of an attorney, incurring attorney's

1 fees and costs to bring this action.

2 WHEREFORE, Plaintiff expressly reserving the right to amend this complaint prior to or at  
3 the time of trial of this action, to insert those items of damage not yet fully ascertainable, prays  
4 judgment against all Defendants, and each of them, as follows:

- 5 1. For general damages in an amount in excess of \$15,000.00;
- 6 2. For special damages in an amount in excess of \$15,000.00;
- 7 3. For reasonable attorney's fees and costs;
- 8 4. For interest at the statutory rate; and
- 9 5. For such other relief as the Court deems just and proper.

10 ADAM SMITH LAW

11 By: /s/ Adam D. Smith

12 Adam D. Smith, Esq.

13 Nevada Bar No. 9690

14 Craig A. Henderson, Esq.

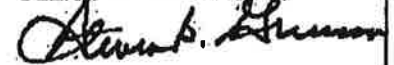
15 Nevada Bar No. 010077

16 2340 Paseo Del Prado, Suite D203

17 Las Vegas, Nevada 89102

18 Attorneys for Plaintiff

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7/27/2019 10:55 AM  
Steven D. Grierson  
CLERK OF THE COURT



DMJT

Adam D. Smith, Esq.  
Nevada Bar No. 9690  
Craig A. Henderson, Esq.  
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ADAM SMITH LAW  
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*Attorneys for Plaintiff*

CASE NO: A-19-799236-C  
Department 4

DISTRICT COURT

CLARK COUNTY, NEVADA

RITA GOODMAN, individually,

Plaintiff,

v.

WALMART INC., a Delaware Corporation;  
DOES I-X; and ROE CORPORATIONS I-X,  
inclusive,

Defendants.

Case No.:  
Dept. No.:

DEMAND FOR JURY TRIAL

Plaintiff, RITA GOODMAN, by and through her attorney, ADAM SMITH LAW, hereby  
demands a trial by jury of all issues in the above-entitled action.

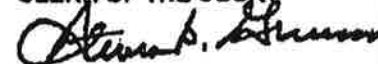
ADAM SMITH LAW

By: /s/ Adam D. Smith

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Craig A. Henderson, Esq.  
Nevada Bar No. 010077  
2340 Paseo Del Prado, Suite D203  
Las Vegas, Nevada 89102  
*Attorneys for Plaintiff*



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1. **IAFD**

2 Adam D. Smith, Esq.

3 Nevada Bar No. 9690

4 Craig A. Henderson, Esq.

5 Nevada Bar No. 010077

6 ADAM SMITH LAW

7 2340 Paseo Del Prado, Suite D203

8 Las Vegas, Nevada 89102

9 T: (702) 929-2289

10 F: (702) 960-4454

11 adam@adamsmithlaw.com

12 craig@adamsmithlaw.com

13 Attorneys for Plaintiff

CASE NO: A-19-799236-C

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DISTRICT COURT

CLARK COUNTY, NEVADA

RITA GOODMAN, individually,

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**INITIAL APPEARANCE FEE  
DISCLOSURE (NRS CHAPTER 19)**

Pursuant to NRS Chapter 19, as amended by Senate Bill 106, filing fees are submitted for parties appearing in the above entitled action as indicated below:

Rita Goodman: \$270.00

TOTAL REMITTED: \$270.00

ADAM SMITH LAW

By: /s/ Adam D. Smith

Adam D. Smith, Esq.

Nevada Bar No. 9690

Craig A. Henderson, Esq.

Nevada Bar No. 010077

2340 Paseo Del Prado, Suite D203

Las Vegas, Nevada 89102

Attorneys for Plaintiff





## DISTRICT COURT CIVIL COVER SHEET

Clark County, Nevada

Case No. \_\_\_\_\_  
(Assigned by Clerk's Office)**I. Party Information** (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone):

Rita Goodman

Defendant(s) (name/address/phone):

Walmart Inc.

CASE NO: A-19-799236-C

Department 4

Attorney (name/address/phone):

Adam Smith Law

2340 Paseo Del Prado, Suite D203

Las Vegas, NV 89102

(702) 929-2289

Attorney (name/address/phone):

**II. Nature of Controversy** (please select the one most applicable filing type below)**Civil Case Filing Types**

Real Property	Negligence	Torts
<b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <b>Other Real Property</b> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<input type="checkbox"/> Auto <input checked="" type="checkbox"/> Promises Liability <input type="checkbox"/> Other Negligence <b>Malpractice</b> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	<b>Other Torts</b> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate	Construction Defect & Contract	Judicial Review/Appeal
<b>Probate (select case type and estate value)</b> <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate <b>Estate Value</b> <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	<b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	<b>Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <b>Nevada State Agency Appeal</b> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency <b>Appeal Other</b> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ		Other Civil Filing
<b>Civil Writ</b> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		<b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

Business Court filings should be filed using the Business Court civil coversheet.

July 27, 2019

Date

Signature of initiating party or representative

See other side for family-related case filings.